

RAYMOND C. CABALLERO
MAYOR



CITY COUNCIL

JAN SUMRALL
DISTRICT NO. 1

ROSE RODRIGUEZ
DISTRICT NO. 2

LARRY M. MEDINA
DISTRICT NO. 3

JOHN COOK
DISTRICT NO. 4

DANIEL S. POWER
DISTRICT NO. 5

PAUL J. ESCOBAR
DISTRICT NO. 6

LUIS G. SARIÑANA
DISTRICT NO. 7

ANTHONY COBOS
DISTRICT NO. 8

REGULAR COUNCIL MEETING
COUNCIL CHAMBERS
AUGUST 13, 2002
9:00 A.M.

The City Council met in regular session at the above place and date. Mayor Raymond C. Caballero present and presiding and the following Council Members answered roll call: Jan Sumrall, Rose Rodriguez, Larry M. Medina, John F. Cook, Daniel S. Power, Paul Joseph Escobar, Luis G. Sariñana and Anthony Cobos. Absent: None. Meeting was called to order and the invocation was given by Representative John F. Cook, followed by the Pledge of Allegiance to the Flag of the United States of America, Mayor's Proclamations & Certificates.

1. Health Center Week - 8/18 - 8/24
- .. Texas Historical Commission presenting an outstanding achievement award to El Paso Museum of History
3. National Airborne Day - 8/16
4. National Homeless Animals Day - 8/17

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Motion made by Representative Cook, seconded by Representative Cobos and unanimously carried to postpone two (2) weeks the report from Ms. Richarda Momsen, Municipal Court Clerk.

Representative Cook asked to postpone Ms. Momsen's presentation due to equipment malfunction.

Ms. Richarda Momsen, Municipal Court Clerk, was in agreement to the postponing of the item.

Ms. Rita Rodriguez, City Attorney, explained that Ms. Patricia Aduato, Director of Planning, would be providing Council Members with a presentation at the August 20, 2002 City Council meeting; however, Ms. Momsen's presentation would be placed on the following City Council Agenda.

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Motion made by Representative Medina, seconded by Representative Cook and unanimously carried to approve, as revised, all matters listed under the Consent Agenda unless otherwise noted.
(Items approved under Consent Agenda will be shown with an asterisk {*}).

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*Motion made, seconded and unanimously carried to approve the Minutes for Special City Council Meeting of June 20, 2002.

Motion made, seconded and unanimously carried to move to the Regular Agenda the following:

RESOLUTION

A RESOLUTION SUSPENDING THE RATE CHANGE PROPOSED BY SOUTHERN UNION GAS COMPANY, A DIVISION OF SOUTHERN UNION COMPANY FOR 90 DAYS BEYOND THE PROPOSED EFFECTIVE DATE.

Whereas, Southern Union Gas Company, a division of Southern Union Company, is a gas utility, and distributes natural gas within the City Limits of the City of El Paso pursuant to a franchise dated as of February 22, 2000, and

Whereas, on July 18, 2002, Southern Union Gas Company filed a Statement of Intent to Change Rates within the City of El Paso specifying that the rate change should be effective in 35 days from that date, and

Whereas, pursuant to the Gas Utility Regulatory Act, Texas Utilities Code Section 103.001, the City of El Paso has exclusive original jurisdiction over the rates, operations, and services of the Southern Union Gas Company within the City of El Paso, and

Whereas, the City Council has determined that additional time is needed to study and to have its Public Utility Regulation Board study the proposed increase and the reasons therefor, and

Whereas, pursuant to the Gas Utility Regulatory Act, Texas Utility Code Section 104.107, the City of El Paso, as regulatory Authority, has the right to suspend the proposed rate change for a period of 90 days after the proposed date the change would otherwise be effective, and

Whereas, the City Council has determined that it is in the best interest of its citizens and ratepayers to suspend the rate change.

Now, Therefore, be it resolved by the City Council of the City of El Paso:

1. That the rate change identified in the Statement of Intent to Change Rates filed by Southern Union Gas Company a division of Southern Union Company, on July 18, 2002, be and is hereby suspended for 90 days after the effective date specified in the Statement of Intent.
2. That the Mayor shall so notify Southern Union Gas Company of this suspension by having a copy of this Resolution delivered or mailed to the Vice President, West Texas Region.

Ms. Lisa Turner, citizen, questioned whether the Resolution on today's City Council Agenda was due in part to the PURB (Public Utility Regulation Board) holding their meetings.

Mr. Charlie McNabb, Chief Administrative Officer, responded yes, a proposed rate increase would be effective on a specific date unless the City suspends the rates for further review.

Mr. Norman Gordon, attorney, responded to Ms. Turner's question in that the PURB held a meeting yesterday, August 12, 2002 and were reviewing the subject material. He noted that the next PURB meeting was scheduled for August 28, 2002.

Mr. Leopoldo Sierra, citizen, suggested the utility companies create a position where an employee would be made available to assist the handicapped, elderly and low-income families with their questions and/or requests.

Mr. Charlie McNabb, Chief Administrative Officer, replied that Mr. Sierra's comments would be heard before the PURB Committee members at their next meeting and added that the public was invited to attend same meeting.

Motion made by Representative Cook, seconded by Representative Escobar and unanimously carried to approve the above Resolution.

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Motion made, seconded and unanimously carried to move to the Regular Agenda the following:

RESOLUTION

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF EL PASO:

That the dates of the regular City Council meetings are changed as indicated below:

- Tuesday, September 3, 2002 is changed to Wednesday, September 4, 2002
- Tuesday, October 22, 2002 is changed to Thursday, October 24, 2002
- Tuesday, December 24, 2002 is changed to Monday, December 23, 2002
- Tuesday, December 31, 2002 is changed to Thursday, January 2, 2003

The time and location of the Meetings remain the same.

Representative Sariñana asked Mr. Charlie McNabb, Chief Administrative Officer, to elaborate on the matter.

Mr. McNabb remarked that City Council meeting dates have been revised on many occasions and elaborated as to reasoning behind changing the dates for the City Council meetings. He noted that due to the holidays those City Council meeting dates were revised to allow for more attendance at those meetings and noted the October 22, 2002 City Council meeting date change was due to an AUSA meeting in Washington, D. C.

Motion made by Representative Cook, seconded by Representative Sariñana and unanimously carried to approve the above Resolution.

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***RESOLUTION**

WHEREAS, on October 30, 2001, the City Council of the City of El Paso resolved to place a Condemnation Lien in the amount of TWO THOUSAND SEVEN HUNDRED TWELVE and 97/100 (\$2,712.97) on the property better known as:

The Westerly 39.15 Feet of Lot 22 and the Easterly 33 Feet of Lot 23, Block 15, Tobin Park Addition, an addition to the City of El Paso, El Paso County, Texas, according to the plat thereof, recorded in Volume 17, Page 7, Plat Records of El Paso County, Texas, more particularly described as 5025 Joe Herrera Drive;

WHEREAS, the City Council of the City of El Paso has been informed that due to a clerical error, the condemnation lien was filed at the El Paso County Clerk's Office twice, duly filed in Book 4115, Page 1332, document number 20010083177, of the Deed of Records of El Paso County, Texas, and duly filed in Book 128, Page 1845, document number 20010088207, of the Deed of Records of El Paso County, Texas;

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF EL PASO:

That due to a clerical error, the City Council hereby rescinds document number 200110088207, duly recorded in Book 4128, page 1845; of the Deed of Records of El Paso County, Texas, creating a second lien against the property better described as 5025 Joe Herrera Drive, El Paso, Texas.

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***RESOLUTION**

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF EL PASO:

That the Mayor be authorized to sign all necessary documents and accept a grant award to the City of El Paso Police Department for an Automobile Theft Prevention Grant (tenth year) in the amount of \$1,109,129.00 from the Automobile Theft Prevention Authority - State of Texas, for the purpose of continuing the efforts of the Department in reducing auto theft in El Paso County; and that the Mayor be authorized to execute on behalf of the City of El Paso any grant amendments to the initial Grant Agreement which increase, decrease or deobligate program funds provided that no additional City funds are required, or which decrease the amount of in-kind funds, and any documents to request and accept an extension of the award ending date for the grant. The Grant Officials will be as named within the Grantee Acceptance Notice. In-Kind Match for the operation of the task force is \$1,141,192.00.

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***RESOLUTION**

That the City accept the revisions to the Work Authorization master form, as attached, relating to the Master Interlocal Cooperative Traffic Control Agreement signed on or about August 14, 2001 for the provision of occasional traffic control assistance for the State of Texas, Department of Transportation, in connection with construction or maintenance on and near state highways in various locations within the City limits as requested by the State; that the Chief of Police or his designee be authorized to approve and sign the individual Work Authorization forms; and that the City Attorney's Office be authorized to negotiate any additions or revisions for each individual Work Authorization form. The State will continue to reimburse the City for its personnel and normal vehicle operation costs in providing the traffic control assistance.

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***RESOLUTION**

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF EL PASO:

That the Mayor be authorized to sign a grant application on behalf of the El Paso Museum of History for submission to El Paso Electric Company ("EPEC") and to sign the related contract and documents should funds be granted, either in the requested amount or at such lesser amount as may be approved by EPEC. The application is for \$150,000 over twelve months to cover a portion of the estimated \$2,400,000 total cost of fabrication and installation work for exhibits in the new Museum of History structure. No match of City funds is required for this grant.

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***RESOLUTION**

WHEREAS, in accordance with Section 18.52.040 and Section 18.52.080 of the El Paso City Code, the City Council of the City of El Paso, by Resolutions dated the 5th day of February, 2002, and the 9th day of April, 2002, after due notice and hearing, ordered GABINO ARAGON, record Owner of the hereinafter described property that the Building be demolished within thirty (30) days and clean the premises of all weeds, trash, and debris all within thirty (30) days, and the Owner having failed after due notice to comply with such ORDER, any mortgagees, lienholders and other persons having an interest in the property have an additional ten (10) days to demolish the Building and clean the premises of all trash, debris, and the mortgagees, lienholders and other persons having an interest in the property failed after due notice to comply with such ORDER, the Street Department of the City of El Paso to proceed to demolish the Building and clean the premises of all weeds, trash, and debris.

WHEREAS, the Deputy Director for Building Services Department has reported the cost of doing such work in the amount hereinafter set forth;

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF EL PASO:

1. That the City Council determines the actual cost of demolishing the Building and cleaning the premises of all weeds, trash and debris from the property, more particularly described as:

Lot 9, Block 1, Valumbrosa Addition, an Addition to the City of El Paso, El Paso County, Texas, according to the plat thereof, recorded in Volume 6, Page 23, Plat Records of El Paso County, Texas, more particularly described as 9166 Alameda Avenue, El Paso, Texas,

to be \$6,475.42, performed by the Street Department of the City of El Paso, \$2,100.00 incurred by the City Attorney's Office and City Clerk's Office in providing notice, and obtaining title report, making a total of \$8,575.42. The City Council finds that the work was completed on the 13th day of August, 2002, and approves the costs.

2. That the City Council, in accordance with Section 18.52.040 of the El Paso City Code, declares the above total amount of EIGHT THOUSAND FIVE HUNDRED SEVENTY-FIVE AND 42/XX DOLLARS (\$8,575.42) to be a lien on the above-described property.

3. That the City Clerk is directed to give notice of this lien by filing a copy of this Resolution for record with the County Clerk.

4. That all records of the City Clerk's Office relating to the proceeding against the above-described property are made a part of this Resolution by reference.

***RESOLUTION**

WHEREAS, in accordance with Section 18.52.040 and Section 18.52.080 of the El Paso City Code, the City Council of the City of El Paso, by Resolution dated the 2nd day of April, 2002, after due notice and hearing, ordered ISABEL R. IRROBALI AND EDDIE IRROBALI, C/O MARTHA GUTIERREZ, record Owners of the hereinafter described property that the Building be demolished within thirty (30) days and clean the premises of all weeds, trash, and debris all within thirty (30) days, and the Owners having failed after due notice to comply with such ORDER, any mortgagees, lienholders and other persons having an interest in the property have an additional ten (10) days to demolish the Building and clean the premises of all trash, debris, and the mortgagees, lienholders and other persons having an interest in the property failed after due notice to comply with such ORDER, the Street Department of the City of El Paso to proceed to demolish the Building and clean the premises of all weeds, trash, and debris.

WHEREAS, the Deputy Director for Building Services Department has reported the cost of doing such work in the amount hereinafter set forth;

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF EL PASO:

1. That the City Council determines the actual cost of demolishing the Building and cleaning the premises of all weeds, trash and debris from the property, more particularly described as:

North 84 Feet of Lot 19 and North 84 Feet of West 4 Feet of Lot 18 and North 84 Feet of East 7 Feet of Lot 20, Block 17, East El Paso Subdivision, a Subdivision in the City of El Paso, El Paso County, Texas, more particularly described as 2920 Frutas Avenue, El Paso, Texas,

to be \$4,514.56, performed by the Street Department of the City of El Paso, \$1,287.60 incurred by the City Attorney's Office and City Clerk's Office in providing notice, and obtaining title report, making a total of \$5,802.16. The City Council finds that the work was completed on the 12th day of June, 2002, and approves the costs.

2. That the City Council, in accordance with Section 18.52.040 of the El Paso City Code, declares the above total amount of FIVE THOUSAND EIGHT HUNDRED TWO AND 16/XX DOLLARS (\$5,802.16) to be a lien on the above-described property.

3. That the City Clerk is directed to give notice of this lien by filing a copy of this Resolution for record with the County Clerk.

4. That all records of the City Clerk's Office relating to the proceeding against the above-described property are made a part of this Resolution by reference.

***RESOLUTION**

WHEREAS, in accordance with Section 18.52.040 and Section 18.52.080 of the El Paso City Code, the City Council of the City of El Paso, by Resolutions dated the 5th day of February, 2002, and 9th day of April, 2002, after due notice and hearing, ordered JOHN A. JENKS, FRANCES K. JENKS, JOHN A. JENKS, III, AND SUDIE A. JENKS-ANDERSON, record Owners of the hereinafter described property that the Building be demolished within thirty (30) days and clean the premises of all weeds, trash, and debris all within thirty (30) days, and the Owners having failed after due notice to comply with such ORDER, any mortgagees, lienholders and other persons having an interest in the property have an additional ten (10) days to demolish the Building and clean the premises of all trash, debris, and the mortgagees, lienholders and other persons having an interest in the property failed after due notice to comply with such ORDER, the Street Department of the City of El Paso to proceed to demolish the Building and clean the premises of all weeds, trash, and debris.

WHEREAS, the Deputy Director for Building Services Department has reported the cost of doing such work in the amount hereinafter set forth;

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF EL PASO:

1. That the City Council determines the actual cost of demolishing the Building and cleaning the premises of all weeds, trash and debris from the property, more particularly described as:

Tract 6, Save and Except the Westerly 159.0 Feet of the Northerly 169.75 Feet of Tract 6, Fruitvale Subdivision, an Addition to the City of El Paso, El Paso County, Texas, according to the plat thereof, recorded in Volume 11, Page 36, Plat Records of El Paso County, Texas, more particularly described as 8464 Roseway Drive (Rear), El Paso, Texas,

to be \$5,609.00, performed by the Street Department of the City of El Paso, \$2,146.55 incurred by the City Attorney's Office and City Clerk's Office in providing notice, and obtaining title report, making a total of \$7,755.55. The City Council finds that the work was completed on the 14th day of June, 2002, and approves the costs.

2. That the City Council, in accordance with Section 18.52.040 of the El Paso City Code, declares the above total amount of SEVEN THOUSAND SEVEN HUNDRED FIFTY-FIVE AND 55/XX DOLLARS (\$7,755.55) to be a lien on the above-described property.

3. That the City Clerk is directed to give notice of this lien by filing a copy of this Resolution for record with the County Clerk.

4. That all records of the City Clerk's Office relating to the proceeding against the above-described property are made a part of this Resolution by reference.

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***R E S O L U T I O N**

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF EL PASO:

That the City sponsor the second annual "God Bless America" memorial and unity event ("the Event") on September 15, 2002, from 6:00 p.m. to 9:00 p.m. at the Andy and Syd Cohen Center, and that the participation of Police and Fire personnel and equipment in the Event is hereby authorized. The City acknowledges that such use of the Cohen Center shall constitute one of the dates reserved for the public's use of the Public Access Facilities as a "City-sponsored event" under the terms of the Lease Agreement dated December 29, 1989, and thereafter amended, between the City and El Paso Baseball Club, L.L.C. The user fee of \$750.00 for the Event will be paid for with Discretionary Funds.

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Motion made, seconded and unanimously carried to move to the Regular Agenda the following:

R E S O L U T I O N

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF EL PASO:

That the following project be designated for funding as a Community Housing Development Organization (CHDO) activity under the City's Fiscal Year 2001 HOME Grant Program:

El Paso Community Action Agency
Project Bravo, Inc. - Cypress Apartments Project
Acquisition and Construction - \$284,290.00

~~**That** the Mayor, on behalf of the City, be authorized to sign a CHDO-Home Financial Terms Contract by and between the City, and El Paso Community Action Agency Project Bravo, Inc., a Community Housing Development Organization (CHDO) under the HOME Program, in the amount of \$284,290.00; and~~

That the Mayor, be authorized to sign a Builder's and Mechanic's Lien Contract and Deed of Trust (With Power Of Sale) by and between the City, El Paso Community Action Agency Project Bravo, Inc., and the selected construction contractor, upon the recommendation of the Director of the Community and Human Development, and the approval of the City Attorney's Office.

Representative Rodriguez questioned the names of the 11 CHDO (Community Housing Development Organization) organizations, what other proposals had the Community Development Department distributed and what the cost per unit was in reference to this proposal.

Ms. Debbie Hamlyn, Director of Community & Human Development, remarked that five organizations had applied and two organizations were receiving funding. She noted that the per unit cost for the Project Bravo, Inc. - Cypress Apartments Project was \$62.51 (total project cost per square foot).

Representative Rodriguez questioned Ms. Hamlyn as to the names of the organizations that could have applied for the grant and those organizations that actually applied.

Mr. Roberto Soto, Housing Program Administrator – CD/Housing Rehab, explained that the Community Development Department had 11 Community Housing Development organizations and that in January invitations requesting that the organizations come to the Department and pick up the proposal packets were mailed out. He noted that a great number of proposals were picked up; however, five proposals were returned to the Department. He stated that in addition to Project Bravo and the Lower Valley Housing Development Corporation, two proposals from Project Vida Community Development Organization were received and the last proposal was from TDP; totally five proposals from four organizations. He would provide a list of the certified Community Housing Development organizations for Representative Rodriguez.

Representative Rodriguez questioned why Project Bravo and Lower Valley Housing Corporation, Incorporated had been chosen over the other three organizations.

Ms. Hamlyn responded that the Community Development Department abides by the RFP process. She explained each applicant must submit a detailed application which the Community Development Department would then score, and the organization(s) receiving the highest score(s) would then be funded/selected. She noted that the Community Development Department does not divulge the scores.

Representative Cobos commented that the Legislative Review Committee had recommended changes regarding the Community Development point scoring system; however, how the projects were awarded was not a topic of discussion during that meeting. He pointed out that language in the contract states "the organization must have a demonstrated capacity to carry out the activities assisted to the HOME funds and must have a history of serving the community". He noted that these organizations, Project Bravo and Project Vida, do serve the community.

Representative Medina commented that Project Bravo and Project Vida had both made considerable contributions to the El Paso community and favored the low cost per square foot. Representative Power noted that some reconstruction projects were located in the City's historical districts, which increase the costs severely and substantially, as opposed to new home construction.

Mayor Raymond C. Caballero complimented the Community Development Department on continued progress.

Motion made by Representative Sariñana, seconded by Representative Cobos and unanimously carried to approve the above Resolution.

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Motion made, seconded and unanimously carried to move to the Regular Agenda the following:

RESOLUTION

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF EL PASO:

That the following project be designated for funding as a CHDO (Community Housing Development Organization) activity under the City's Fiscal Year 2001 HOME Grant Program:

Lower Valley Housing Corporation, Incorporated – Pueblo Montana Project
Land Acquisition - \$150,000.00; and

That the Mayor be authorized to sign a CHDO-Home Financial Terms Contract by and between the City of El Paso and Lower Valley Housing Corporation, Incorporated, a Community Housing Development Organization (CHDO), in the amount of \$150,000.00 for the Pueblo Montana Mutual Self-Help Housing Project; and

That the Mayor be authorized to sign a Subordination Agreement between the City, Lower Valley Housing Corporation, Incorporated, and the interim and permanent construction lender(s) providing the construction loans for the Project, and Partial Releases of Lien to be filed at the time the homes are sold, provided that the documents are recommended by the Director of Community and Human Development Department and approved by the City Attorney's Office.

Representative Rodriguez questioned whether the two organizations, Project Bravo and the Lower Valley Housing Corporation, Incorporated, had received all the requested funding and what the remaining balance was in the HOME Program funding.

Ms. Debbie Hamlyn, Director of Community & Human Development, responded that "yes", Project Bravo and Lower Valley Housing Development Corporation, Incorporated had received all requested funding. Ms. Hamlyn explained that total amount of CHDO funding available this year was \$707,000.00, following funding of the Cypress Apartments Project and Pueblo Montana Project, the balance would be \$262,960.00

Representative Medina commented that the project was another excellent example of "self-help" programs.

Motion made by Representative Sariñana, seconded by Representative Cobos and unanimously carried to approve the above Resolution.

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***RESOLUTION**

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF EL PASO:

That the Mayor be authorized to sign a Contract of Sale of Real Property in the amount of 12,700.00 with the property owner for the purchase of the following property, which will be acquired for the San Juan Parking Lot Acquisition Project under the Twenty-Seventh Year (2001-2002) Community Development Program:

- Parcel 1: A vacant parcel of land located at 5707 Macias; Legal Description of Lots 16 & 17, Block 7, MAP OF HUGHES SUBDIVISION OF BLOCKS 1 AND 2 OF ALAMEDA ACRES, an Addition to the City of El Paso, El Paso County, Texas, according to the map and plat thereof on file in Volume 13, Page 16, Plat Records of EL PASO County, Texas.

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***RESOLUTION**

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF EL PASO:

That the Mayor be authorized to execute an Amendment to the Fiscal Year 2001 Emergency Shelter Grant (ESG) Contract between the City of El Paso and the El Paso Center on Family Violence, to allow for the addition of two part-time salaried positions to facilitate the timely expenditure of grant funds. The Contract amount of \$92,786 and the Contract termination date of August 31, 2002, shall remain unchanged.

***RESOLUTION**

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF EL PASO:

That the Mayor be authorized to execute an Enterprise Project Agreement between the City of El Paso and Artcraft Hospitality Partners, Ltd., pursuant to the requirements of Chapter 2303, Subchapter C of the Texas Enterprise Zone Act, as amended; said agreement to be submitted to the Texas Department of Economic Development as part of an application for enterprise zone project designation for Artcraft Hospitality Partners, Ltd.

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Motion made, seconded and unanimously carried to move to the Regular Agenda the following:

A RESOLUTION OF CITY OF EL PASO, TEXAS APPROVING
EL PASO ELECTRIC COMPANY'S APPLICATION TO AMEND ITS
GOVERNMENTAL STREET LIGHTING AND SIGNAL SERVICE RATE

WHEREAS, on July 31, 2002, El Paso Electric Company ("EPE"), filed with the City of El Paso its Application to Amend Rate Schedule No. 08-Governmental Street Lighting and Signal Service Rate; and

WHEREAS, EPE's Application requests that EPE be permitted to amend its Governmental Street Lighting and Signal Service Rate Schedule so that its rates appropriately reflect the lower cost of service associated with powering high-efficiency traffic signals that operate using light-emitting diode technology; and

WHEREAS, the requested tariff amendment will increase energy conservation and result in economic savings to the governmental entities that take service under the amended tariff; and

WHEREAS, the City of El Paso, after having considered EPE's Application, is of the opinion that the proposed amendment should be approved and that the associated services and rates will benefit the City of El Paso and its residents;

NOW, THEREFORE, BE IT RESOLVED by the City of El Paso that EPE's tariff amendment application is APPROVED and that EPE is permitted to amend Schedule No. 08-Governmental Street Lighting and Signal Service Rate Tariff, as requested.

Representative Sumrall questioned whether the El Paso Electric Company would be raising or lowering its costs.

Mr. Norman Gordon, attorney, responded that costs would be decreasing due to the Texas Department of Transportation's installation of new LED technology and fixtures specifically for traffic signals. He noted the costs would decrease from \$1.10 to \$0.30 (monthly rate per unit).

Motion made by Representative Sumrall, seconded by Representative Sariñana and unanimously carried to approve the above Resolution.

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***RESOLUTION**

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF EL PASO:

THAT the Director of the El Paso Museum of Art be authorized to sign a loan agreement, on behalf of the City of El Paso, for the exhibition *Dissolution Direction Drawing: Recent Work by Sam Reveles* which will be held 9/22/02-1/12/03.

The El Paso Museum of Art organized the exhibition and the works are being lent by Dunn and Brown Contemporary of Dallas.

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***RESOLUTION**

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF EL PASO:

THAT the Director of the El Paso Museum of Art be authorized to accept the loan, on behalf of the City of Paso, of the following exhibition organized by the El Paso Museum of Art and the University of Texas, El Paso, to be held 11/3/02-2/23/03.

Crossing Over: Photographs by Willie Varela

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***RESOLUTION**

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF EL PASO:

That the Mayor be authorized to sign the following special events agreement for space in the El Paso Museum of Art.

Event:	Meeting
Licensee:	Texas Academy of Physician Assistants
Date:	September 28, 2002
Time:	1:00 p.m. - 5:00 p.m.
Charge for Space:	\$500.00
Charge for Staff (est):	\$80.00
Charge for Insurance:	\$40.00
Area(s):	Auditorium

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Motion made, seconded and unanimously carried to move to the Regular Agenda the following:

RESOLUTION

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF EL PASO:

That the Mayor and City Council authorize the use of a city vehicle and "Gus and Goldie," to participate in the "50th Annual Fiesta De Las Flores Parade" to be held in downtown El Paso on August 30, 2002.

Representative Sumrall noted that due to the significance of the "50th Annual Fiesta De Las Flores Parade" further explanation was required.

Mr. Ray Cox, Assistant Director, Parks and Recreation Department, explained that the parade would serve as a great public relations opportunity to inform more El Pasoans of the "Learn to Swim" program of which Gus and Goldie were mascots.

Motion made by Representative Sumrall, seconded by Representative Escobar and unanimously carried to approve the above Resolution.

***RESOLUTION**

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF EL PASO:

That the Mayor be authorized to sign an Agreement with BIG BROTHERS BIG SISTER OF EL PASO to lease the company Two (2) 32 Gallon Containers for a service fee of \$5.00 each month for the purpose of collecting the company's recyclable materials in conjunction with the Department of Solid Waste Management's recycling program.

***RESOLUTION**

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF EL PASO:

That the Mayor be authorized to sign an Agreement with ATP NUTRITION CENTER, LTD. to lease the company One (1) 4 Cubic Yard Dumpster for a service fee of \$15.00 each month for the purpose of collecting the company's recyclable materials in conjunction with the Department of Solid Waste Management's recycling program.

***RESOLUTION**

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF EL PASO:

That the Mayor be authorized to sign an Agreement with COMPLETE REPROGRAPHICS to lease the company One (1) 4 Cubic Yard Dumpster for a service fee of \$15.00 each month for the purpose of collecting the company's recyclable materials in conjunction with the Department of Solid Waste Management's recycling program.

***NOTICE OF PUBLIC HEARING**

To All Interested Parties:

You are hereby notified that at 9:00 a.m. on the 3rd day of September, 2002 in the Council Chambers of City Hall, #2 Civic Center Plaza, El Paso, Texas, the City Council of El Paso will hold a public hearing on the question of whether the Building located on the property at 704 N. Campbell Street, in El Paso, Texas, which property is more particularly described as:

Lots: 16 & 17 and North ½ of Lot 18, Block 252, Campbell Addition

is unsafe and dangerous.

According to the real property records of the County of El Paso, Texas, Carmen Breach De Valenzuela, 7049 Westwind Drive #1313, El Paso, Texas 79912 and also P. O. Box 13045, El Paso, Texas 79913, is listed as the Owner of the real property described herein.

The Owner of said property is hereby ordered to appear before City Council and any mortgagees, lien holders, and other persons having an interest in said property are entitled to appear before City Council at said date, hour, and place to show cause why said Building should not be declared a nuisance and ordered to be abated; and

The Owner, lien holders, mortgagees, or any other person having an interest in the property are hereby required to submit at the hearing proof of the scope of any work that may be required to bring this property into compliance as mandated by Municipal Code Section 18.52.040 and to specify the time it will take to reasonably perform the work.

If the Owner fails, neglects or refuses to comply with the order of City Council the City may pursue one, or more of the following actions:

- I) the city will perform any and all work needed to bring the property into compliance with this order, at its own expense, but for and on account of the Owner, of said property, the cost of which shall be assessed as a lien against the property and;
- II) assess a civil penalty against the property Owner for failure to repair, remove or demolish said Building in an amount not to exceed \$1000.00 a day for each violation, or \$10 a day if the Owner shows that the property is the Owner's lawful homestead and;
- III) the Owner may be confined in jail as permitted by state law and;
- IV) appoint a receiver as permitted by state law.

Any civil penalty or assessment imposed will accrue interest at a rate of ten (10) percent a year from the date of the assessment until paid in full; and

That the Deputy City Clerk is ordered to provide notice of this hearing to the record Owner and all other persons having an interest in the property as provided by law.

According to the real property records of El Paso County, you own the property described in this notice. If you no longer own the property, you must execute an affidavit stating that you no longer own the property and stating the name and last known address of the person who acquired the property from you. The affidavit must be delivered in person or by certified mail, return receipt requested, to this office no later than the 20th day after the date you receive this notice. If you do not send the affidavit, it will be presumed that you own the property described in this notice, even if you do not.

.....
*NOTICE OF PUBLIC HEARING

To All Interested Parties:

You are hereby notified that at 9:00 a.m. on the 3rd day of September, 2002 in the Council Chambers of City Hall, #2 Civic Center Plaza, El Paso, Texas, the City Council of El Paso will hold a public hearing on the question of whether the Building located on the property at 1612 N. Oregon Street, in El Paso, Texas, which property is more particularly described as:

Lot: 15 and the South 15 ft. of Lot 14 and the North 20 ft. of 16, Block 56, Alexander Addition

is unsafe and dangerous.

According to the real property records of the County of El Paso, Texas, Zafer H. Haydar, 1020 S. Mesa Hills Apt. 4708, is listed as the Owner of the real property described herein.

The Owner of said property is hereby ordered to appear before City Council and any mortgagees, lien holders, and other persons having an interest in said property are entitled to appear before City Council at said date, hour, and place to show cause why said Building should not be declared a nuisance and ordered to be abated; and

The Owner, lien holders, mortgagees, or any other person having an interest in the property are hereby required to submit at the hearing proof of the scope of any work that may be required to bring the building into compliance with Titles 17 and 18 of the code as mandated by Section 18.52.040 of the Municipal Code, and to specify the time it will take to reasonably perform the work.

If the Owner fails, neglects or refuses to comply with the order of City Council the City may pursue one, or more of the following actions:

- I) the city will perform any and all work needed to bring the property into compliance with this order, at its own expense, but for and on account of the Owner, of said property, the cost of which shall be assessed as a lien against the property and;
- II) assess a civil penalty against the property Owner for failure to repair, remove or demolish said Building in an amount not to exceed \$1000.00 a day for each violation, or \$10 a day if the Owner shows that the property is the Owner's lawful homestead and;
- III) the Owner may be confined in jail as permitted by state law and;
- IV) appoint a receiver as permitted by state law.

Any civil penalty or assessment imposed will accrue interest at a rate of ten (10) percent a year from the date of the assessment until paid in full; and

That the Deputy City Clerk is ordered to provide notice of this hearing to the record Owner and all other persons having an interest in the property as provided by law.

According to the real property records of El Paso County, you own the real property described in this notice. If you no longer own the property, you must execute an affidavit stating that you no longer own the property and stating the name and last known address of the person who acquired the property from you. The affidavit must be delivered in person or by certified mail, return receipt requested, to the Housing Compliance Office of the Building Services Department, 5th floor, City Hall, no later than the 20th day after the date you receive this notice. If you do not send the affidavit, it will be presumed that you own the property described in this notice, even if you do not.

.....
*Motion made, seconded and unanimously carried to approve the request to fill the position on a temporary basis in accordance with Article VI, Section 6.6-3, of the Civil Service Charter Provisions:

Transit Information Clerk (1)

.....
*Motion made, seconded and unanimously carried to approve the following provisional appointment(s) in accordance with Article VI, Section 6.6-2, of the Civil Service Charter Provisions:

- A. Automotive Service Worker I (1)
- B. Public Safety Call Taker (2)

.....
*Motion made, seconded and unanimously carried to appoint Michael Walker to the Historic Landmark Commission by Representative Cobos.

.....
*Motion made, seconded and unanimously carried to appoint Suzanne S. Azar to the Greater El Paso Civic, Convention and Tourism Advisory Board by Representative Power.
.....

*Motion made, seconded and unanimously carried to appoint Eric Seymour Reed to the City Accessibility Advisory Committee by Representative Medina.

*Motion made, seconded and unanimously carried to appoint Ricardo Diaz to the Public Utility Regulation Board by Representative Cook.

*Motion made, seconded and unanimously carried to appoint Fred J. Jackson to the Greater El Paso Civic, Convention and Tourism Advisory Board by Representative Sariñana.

*Motion made, seconded and unanimously carried to authorize the Director of Purchasing to exercise the City's option extend Contract No. 2000-233C between the City of El Paso and STM Equipment, Inc., Arlington, Texas to provide Vactor Proprietary Parts for the City of El Paso Equipment Maintenance Department (for two additional years) starting September 25, 2003, and ending September 24, 2005.

Department: Equipment Maintenance Department
Funds available: 37370510-503121
Funding source: Equipment Maintenance Operating Fund
Total amount: \$40,000.00 (estimated annually)

*Motion made, seconded and unanimously carried to authorize the Director of Purchasing to issue a Purchase Order to USA Online dba White Horse Communications in the amount of \$26,636.00. White Horse Communications is the sole source provider of secure encrypted point to point internet communications between the City of El Paso and Ciudad Juarez, Chihuahua, Mexico, to provide secured internet access between the El Paso Police Department, Department of Public Safety, and Juarez State Judicial Police to support criminal investigations.

Additionally, it is requested authorization for City staff to negotiate, City Attorney's Office to review, and the Mayor be authorized to execute any related contract documents and agreements necessary during the contract. Contract No. 2002-223

Award amount: \$26,636.00
Funds available: 21150002-05860-508010 Grant G210202
Department (s): Police, Auto Theft Prevention (ATPA) 02

*Motion made, seconded and unanimously carried to award Bid No. 2002-190 Ammunition

Award to: GT Distributors, Inc.
Austin, Texas

Item (s): 1 – 9
Amount: \$69,414.00

Department: Police
Funds available: 21010062-01101-203109
Funding source: General Funds – Ammunition Supplies
Total award: \$69,414.00

Police and Purchasing Departments recommend award as indicated as this vendor is the responsible and responsive bidder meeting specifications. This is a twelve (12) month requirement type contract with the option to renew contract for one [1] additional.

*Motion made, seconded and unanimously carried to award Bid No. 2002-203 Furnish & Install Modular Furniture

Award to: BPSI
El Paso, Texas
Item (s): I, II and III
Amount: \$25,000.00 (estimated annually)

Department: Department of Aviation
Funds available: 62620028-PAP0004100
Funding source: Airport Capital Funds
Total award: \$25,000.00 (estimated annually)

The Department of Aviation and the Purchasing Department recommend award as indicated. They are the low, responsive and responsible bidder meeting specifications. This is a twenty-four (24) month requirements-type Contract to Furnish & Install Modular Furniture. The Contract will officially begin at 12:01 A.M. August 14, 2002. Vendor offers the City the option of extending the term of the contract for twenty-four (24) additional months at the same unit prices, if the option is exercised within one (1) year or two (2) years from the date of award of the contract. No prompt payment discount is offered.

.....
*Motion made, seconded and unanimously carried to approve the request of Claudia Frias to hold a memorial walk/bike ride on August 24, 2002 from 7:00 a.m. to 12:00 p.m. Route: Start at Marwood Park at River Bend, north on River Bend to Sunset, right on Sunset to Emory, right on Emory to Frontera, right on Frontera to Benedict to Hookheath and back to Marwood Park. Approximately 100-500 persons and 10 bicycles will take part. This request includes permission to use amplification (microphones & speakers). PERMIT NO. 02-099

.....
*Motion made, seconded and unanimously carried to approve the request of Rim-University Neighborhood Association to block off the 700 block of Blacker between Ochoa and Virginia on September 22, 2002 from 5:00 p.m. to 9:00 p.m. for a picnic/block party. Approximately 200 persons will take part. Barricades must be manned according to the State's "Manual of Uniform Traffic Control Devices". PERMIT NO. 02-095

NOTE: Motion was revised to change the date of the event to "September 22, 2002".

.....
*Motion made, seconded and unanimously carried to approve the request of Holocaust Museum/YWCA to hold a human chain/parade commemorating September 11, on September 11, 2002 from 6:15 p.m. to 6:25 p.m. Route: Start at Friendship Bridge north to Eight, west on Eight to Mesa, north on Mesa to Main, and west on Main to the El Paso Convention Center. Approximately 2,000 persons will take part. This request includes permission to use amplification (megaphones, whistles). PERMIT NO. 02-104

.....
ORDINANCE 15175

The City Clerk read an Ordinance entitled: **AN ORDINANCE CHANGING THE ZONING OF LOT 18, BLOCK 1, LOWER VALLEY MOBILE HOME ADDITION, REPLAT "A", CITY OF EL PASO, EL PASO COUNTY, TEXAS (403 JOSEPH STREET) FROM R-1 (RESIDENTIAL) TO RMH (RESIDENTIAL MOBILE HOME). THE PENALTY BEING AS PROVIDED IN SECTION 20.68.010 OF THE EL PASO MUNICIPAL CODE.**

Representative Escobar stated he would amend the Ordinance from R-3 to R-1 and noted that the DCC (Development Coordinating Committee) and CPC (City Plan Commission) had previously recommended the RMH zoning; however, the applicant had requested A-M zoning. He explained that there were concerns regarding the A-M zoning change and that the applicant was agreeable to RMH.

Ms. Patricia Adatao, Director of Planning, Research and Development, gave further explanation regarding the change of zoning from R-3 to R-1 and A-M and RMH and noted that there was no opposition to the case.

Motion duly made by Representative Escobar, seconded by Representative Cobos that the Ordinance be adopted, as revised. Whereupon the Mayor ordered that a vote be taken on the passage and adoption of the Ordinance which when so done resulted as follows:

AYES: Council Members Sumrall, Rodriguez, Medina, Cook, Power, Escobar, Sariñana and Cobos
NAYS: None Absent: None

Whereupon the Mayor ordered that the vote having been cast in favor of the Ordinance, the same be and the same is hereby adopted.

NOTE: Ordinance was revised to read: from R-1 (Residential) to RMH (Residential Mobile Home).

ORDINANCE 15176

The City Clerk read an Ordinance entitled: **AN ORDINANCE CHANGING THE ZONING OF LOT 36, RANGERS REST NO. 2, EL PASO, EL PASO COUNTY, TEXAS (1164 RANGER STREET) FROM R-4 (RESIDENTIAL) TO A-O (APARTMENT-OFFICE) AND IMPOSING CERTAIN CONDITIONS. THE PENALTY BEING AS PROVIDED IN SECTION 20.68.010 OF THE EL PASO MUNICIPAL CODE.**

Representative Sariñana remarked that he had met with the owners/applicants and had relayed concerns expressed by Representative Cook.

Ms. Patricia Adatao, Director of Planning, Research and Development, noted no opposition to the zoning change case.

Motion duly made by Representative Sariñana, seconded by Representative Cobos that the Ordinance be adopted. Whereupon the Mayor ordered that a vote be taken on the passage and adoption of the Ordinance which when so done resulted as follows:

AYES: Council Members Sumrall, Medina, Cook, Power, Escobar, Sariñana and Cobos
NAYS: Council Member Rodriguez Absent: None

Whereupon the Mayor ordered that the vote having been cast in favor of the Ordinance, the same be and the same is hereby adopted.

*Motion made, seconded and unanimously carried to postpone one (1) week an Ordinance amending Title 2 (Administration and Personnel), by adding a new Chapter 2.36 (Development Board of Appeals), to establish a new board of appeals for subdivision and development issues.

*Motion made, seconded and unanimously carried to delete the request to reject all bids submitted for Bid No. 2002-153, Union Plaza Transit Terminal & Parking Facility, as recommended by the Departments of Mass Transit, Engineering, and Purchasing.

Specifications will be reviewed and a new solicitation will be issued at a later date.

Motion made by Representative Sumrall, seconded by Representative Escobar and unanimously carried to reject Request for Proposal No. 2002-141R Police Records Management System as recommended by Purchasing and Police Department.

Request for proposal for a Police Records Management System will be reviewed, revised and re-advertised at a later date.

There being no public comment, the vote was taken.

.....
Motion made by Representative Sumrall, seconded by Representative Cobos and carried to approve the appeal on the decision of the Historic Landmark Commission regarding paving of parkway located at 3021 Aurora, El Paso, Texas. (Ricardo Miranda)

Representative Medina voted Nay.
Representative Escobar was not present for the vote.

Ms. Patricia Adatao, Director of Planning, Research and Development, explained that the appeal was in regard to the Historic Landmark Commission's (HLC) decision to approve the request by the applicant, based on certain conditions. She explained that the property was located in the Manhattan Heights Historic District and under the architectural guidelines, parkscape could not exceed 50% as a surface material on a parkway. She then explained how the applicant had made improvements to his parkway and then was subsequently cited by the Building Services Department for having done so due to violating the Historic District guidelines. She noted that the applicant had then submitted an application through the HLC and modified the parkscape to become "Planters" within the parkway area. She added that at the Historic Landmark Commission meeting on July 17, 2002, approval was recommended subject to the applicant increasing the amount of landscaped area within the parkway area to bring the area close to the recommended 50%. She pointed out that the applicant appealed the HLC's decision and was requesting that City Council allow him the improvements he had already made. At this time, Ms. Adatao presented slides to Council Members in reference to the parkway improvements.

Representative Sumrall commented on the HLC's overbearing authority and complimented the owner on the improvements he had made to his property.

.....
Motion made by Representative Cobos, seconded by Representative Sariñana and carried to postpone two (2) weeks - Appeal the decision of the Historic Landmark Commission regarding re-roofing with shingle located at 2932 Grant, El Paso, Texas. (Deanna Madrid)

Ms. Patricia Adatao, Director of Planning, Research and Development, explained the applicant was appealing the decision made by the Historic Landmark Commission (HLC) to postpone action on the item until the August 21, 2002 HLC meeting. She noted that if the applicant felt he/she had been aggrieved by a decision of the HLC, there is a provision in the Code that permits an appeal to the City Council. She stated that the property was located in the Manhattan Heights Historic District, zoned R-3, with an historic overlay and added the property was considered a significant structure within the historic district. She explained that the request was to replace the existing metal roofing with shingle style roof that would match in shape, form and color with the current roof. She noted that the HLC had postponed action on the item as the Commission members had wanted to consult with the applicant to determine other alternatives. She remarked that due to the recent heavy rains, the roof structure continues to receive extensive damage due to the deteriorating roof structure. Additionally, she explained that a letter from a roofing contractor had been received by the HLC that stated "any repair work to the existing metal tile roof would be futile, due to the age and deteriorated condition and the unavailability of the existing metal tiles". She added due to the contractor's opinion, the applicant had requested replacing the tile with shingles. During Ms. Adatao's discussion, slides were presented for Council Members information.

Representative Rodriguez stated that the home retains significant historical value.

Representative Power stated that the homeowner was suffering interior and exterior damage, as well as structural damage.

Representative Sumrall questioned whether consideration had been given to replacing the existing material with ceramic shingles.

Representative Cobos wondered whether the shingles on the garage could be utilized on the home structure.

Mr. Emmanuel R. Moreno, Historic Landmark Commission member, explained that he and other members of the Historic Landmark Commission, namely Fred Dalbin and Michael Walker, had studied the roof structure and discovered that metal tiles were no longer manufactured, additionally, the weight of the ceramic tiles would collapse the structure. He stated that the HLC would allow the applicant to asphalt shingle the garage structure, utilize the tiles from the garage structure to replace those deteriorated tiles on the home.

Representative Power questioned whether members of the Historic Landmark Commission were builders and/or contractors or who possessed any knowledge in reference to building or construction. He questioned whether the metal tiles were rusting, eroding and/or deteriorating. He questioned whether the HLC would provide any remedy if the applicant complied with HLC recommendations, in the meantime the roof structure was compromised. He stated the homeowner was suffering property damage due to the HLC's prolonging of the matter.

Mr. Moreno responded that Mr. Dalbin and Mr. Walker were both architects and stated that some of the metal tiles were rusting, eroding and deteriorating. He explained that the HLC had been advised by counsel not to visit the residence as other issues had developed. He stated that grants and loans were available to the homeowner, through the City, to rehabilitate the residence. He stated the homeowners were given administrative permission to correct the problems while HLC members researched the matter further; however, they refused that.

Mr. Charlie McNabb, Chief Administrative Officer, added the HLC members do not have authority to enter the home.

Representative Power suggested utilizing asphalt shingles as they were aesthetically pleasing.

Mr. Moreno stated the HLC had investigated utilizing the asphalt shingles; however, the cost was too high. He added that the applicant was requesting asphalt shingles and gave a brief history regarding the home. He stated that the home had been built in 1915 and that the roof was the original roof.

Representative Rodriguez noted that there appeared to be other areas of neglect of the home, not only the roof.

Representative Power questioned whether a roofing expert's opinion had been requested and what determination the expert had made.

Mr. Moreno responded Southwestern Roofing's "Fidel" advised the HLC and made the recommendation to utilize the spare tiles from the garage as replacement for the tiles on the roof.

* Motion made by Representative Cook, seconded by Representative Rodriguez to deny the appeal.

Representative Cobos remarked that the HLC had postponed the item on their agenda and that it would be appear on next week's agenda. He suggested postponing the item.

Representative Cook responded that Council Members were to either deny or approve the appeal. He stated that if the item were denied, the item would be sent back to the HLC.

Ms. Rita Rodriguez, City Attorney, recommended postponing the item for two weeks as the next HLC meeting would be August 21, 2002. She stated that the applicant was not present.

Ms. Adatao explained that the applicant had posted the appeal on the City Council agenda.

At this time, Representative Cobos moved to postpone for two weeks, Representative Sariñana seconded. The vote was taken with the following results:

Representatives Sumrall and Escobar were not present.

Representatives Rodriguez and Cook voted Nay.

Representative Medina, Power, Sariñana and Cobos voted Aye.

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*Motion made, seconded and unanimously carried to delete the discussion on availability of public restrooms in Downtown El Paso. (Anita Blair)

.....
*Motion made, seconded and unanimously carried to delete the discussion on pollution in El Paso. (Anita Blair)

.....
*Motion made, seconded and unanimously carried to postpone three (3) weeks the discussion and action and Resolution - Program change regarding refinancing in the Housing Program Handbook, Chapter 3, Owner Occupied Residence. (Leopoldo E. Sierra)

.....
Motion made by Representative Sariñana, seconded by Representative Cook and unanimously carried that the following Ordinances, having been introduced pursuant to Section 3.9 of the El Paso City Charter, be advertised for public hearing, as revised:

- A. An Ordinance providing for the issuance of City of El Paso, Texas, Water and Sewer Revenue Bonds, Series 2002A, in the aggregate principal amount of \$1,000,000 for the purpose of improving and extending the City's water and sewer system and paying the costs related to the issuance of the bonds; and enacting provisions incident and related to the subject and purposes of this Ordinance.
- B. An Ordinance granting a Special Privilege to the Central Business Association of El Paso, Inc., to permit temporary sidewalk vending for participating merchants within certain public rights-of-way in Downtown El Paso from August 28, 2002 through July 3, 2003. (Fee: \$83.70 per 3' x 9' vending area or \$170.50 per 6' x 9' vending area, SP-02015)
- C. An Ordinance to amend Title 13 (Streets, Sidewalks and Public Places), Chapter 13.24 (City Parks and Recreation Areas), Section 13.24.200 (Rental Rates and User Fees Authorization) of the El Paso Municipal Code to establish or revise program, activity, league and tournament fees.
- D. An Ordinance amending Title 2 (Administration and Personnel), Chapter 2.40 (Museum Department), Section 2. 40.010 (Created-Designation of Department Head), of the El Paso Municipal Code to change the name of the department to the Museums Department and to provide for the establishment of divisions within the department for the El Paso Museum of Art, the El Paso History Museum, and the El Paso Wilderness Park Museum.

- E. An Ordinance amending Title 2 (Administration and Personnel), Chapter 2.44 (Courts); by amending Section 2.44.010 (created) by adding Subsection E and Section 2.44.040 (Practice and Procedure); relating to the establishment of the positions of the Municipal Court Clerk and City Clerk; and the clarification of procedures regarding the issuance of citations and the filing of documents in the Municipal Court and Municipal Court of Appeals; the penalty being as provided in Sections 1.08.010 - 1.08.030 of the El Paso Municipal Code.
- F. An Ordinance amending Ordinance No. 11479 that created the City department known as the Department of Financial Services; to revise the name of the department to the Financial and Administrative Services Department and to revise the title of the department head and his duties.
- G. An Ordinance creating a new department to be known as the Building and Planning Services Department.
- H. An Ordinance creating a new department to be known as the Municipal Services Department.
- I. An Ordinance creating a new department to be known as the Community Services Department.
- J. An Ordinance amending the City of El Paso Municipal Code to substitute the term "Building Permits and Inspections Department" for the term "Building Services Department"; substitute the term "Municipal Services" for the term "Public Works", as may be excepted herein; substitute the term "Fleet Services Department" for the term "Equipment Maintenance Department"; substitute the term "Arts And Culture Department" for the term "Arts Resources Department"; at all places in the Code where such terms appear.
- K. An Ordinance amending the City of El Paso Municipal Code to substitute the term "Building Permits and Inspections Director" for the term "Deputy Director For Building Services"; substitute the term "Building Permits and Inspections Assistant Director" for the term "Assistant Deputy Director For Building Services"; substitute the term "City Engineer" for the term "Deputy Director For Engineering"; substitute the term "Assistant City Engineer" for the term "Assistant Deputy Director For Engineering"; substitute the term "Fleet Services Director" for the term "Deputy Director For Equipment Maintenance"; substitute the term "Solid Waste Management Director" for the term "Deputy Director For Solid Waste Management"; substitute the term "Solid Waste Management Assistant Director" for the term "Assistant Deputy Director For Solid Waste Management"; substitute the term "Streets Director" for the term "Deputy Director For Streets"; substitute the term "Streets Assistant Director" for the term "Assistant Deputy Director For Streets"; substitute the term "Arts And Culture Director" for the term "Director Of Arts Resources"; substitute the term "Community And Human Development Director" for the term "Director Of Community Development"; substitute the term "Deputy Chief Administrative Officer" for the term "Director Of Public Works"; substitute the term "Chief Financial Officer/Deputy Chief Administrative Officer" for the term "Chief Financial Officer"; at all places in the Code where such terms appear.
- L. An Ordinance amending Ordinance 8064, Classification and Compensation, to substitute the term "Human Resources Department" for all references contained in Ordinance 8064, Classification and Compensation, to the term "Personnel Department".

- M. An Ordinance amending Ordinance 8064, Classification and Compensation, substituting the term "Human Resources Director" for all references contained in Ordinance 8064, Classification and Compensation, to the term "Personnel Director".
- N. An Ordinance amending the El Paso Municipal Code substituting the term "Human Resources Department" for the term "Personnel Department" at all places in the code where such term appears.
- O. An Ordinance amending the El Paso Municipal Code substituting the term "Human Resources Director" for the term "Personnel Director" at all places in the code where such term appears.
- P. An Ordinance amending Ordinance 8065, Civil Service Rules and Regulations, Rule 2, Personnel Director, to change the title of Rule 2 to Human Resources Director and to substitute the term "Human Resources Director" for all references contained in the Civil Service Rules to the term "Personnel Director".
- Q. An Ordinance amending Ordinance 8065, the Civil Service Rules and Regulations, to substitute all references within the Civil Service Rules and Regulations to the term "Personnel Department" with the term "Human Resources Department".
- R. An Ordinance amending Ordinance 8064 (The Classification and Compensation Plan) to revise the class of Chief Financial Officer and change the grade, specifications and title to Chief Financial Officer/Deputy Chief Administrative Officer.
- S. An Ordinance amending Ordinance 8064 (The Classification and Compensation Plan) to revise the class of Deputy Director for Equipment and change the title to Fleet Services Director.
- T. AN ORDINANCE AMENDING ORDINANCE 8064 (THE CLASSIFICATION AND COMPENSATION PLAN) TO REVISE THE CLASS OF **ECONOMIC DEVELOPMENT DIRECTOR**.
- U. AN ORDINANCE AMENDING ORDINANCE 8064 (THE CLASSIFICATION AND COMPENSATION PLAN) TO CREATE THE CLASS OF **ECONOMIC DEVELOPMENT ADMINISTRATOR**.
- V. AN ORDINANCE AMENDING ORDINANCE 8064 (THE CLASSIFICATION AND COMPENSATION PLAN) TO REVISE THE CLASS OF **ASSISTANT DEPUTY DIRECTOR FOR BUILDING SERVICES** AND CHANGE THE TITLE TO **BUILDING PERMITS AND INSPECTIONS ASSISTANT DIRECTOR**.
- W. AN ORDINANCE AMENDING ORDINANCE 8064 (THE CLASSIFICATION AND COMPENSATION PLAN) TO REVISE THE CLASS OF **ASSISTANT DEPUTY DIRECTOR FOR ENGINEERING** AND CHANGE THE TITLE TO **ASSISTANT CITY ENGINEER**.
- X. AN ORDINANCE AMENDING ORDINANCE 8064 (THE CLASSIFICATION AND COMPENSATION PLAN) TO REVISE THE CLASS OF **ASSISTANT DEPUTY DIRECTOR FOR SOLID WASTE MANAGEMENT** AND CHANGE THE TITLE TO **SOLID WASTE MANAGEMENT ASSISTANT DIRECTOR**.

- Y. AN ORDINANCE AMENDING ORDINANCE 8064 (THE CLASSIFICATION AND COMPENSATION PLAN) TO REVISE THE CLASS OF **ASSISTANT DEPUTY DIRECTOR FOR STREETS** AND CHANGE THE TITLE TO **STREETS ASSISTANT DIRECTOR**.
- Z. AN ORDINANCE AMENDING ORDINANCE 8064 (THE CLASSIFICATION AND COMPENSATION PLAN) TO REVISE THE CLASS OF **ASSISTANT PERSONNEL DIRECTOR** AND CHANGE THE TITLE TO **HUMAN RESOURCES ASSISTANT DIRECTOR**.
- AA. AN ORDINANCE AMENDING ORDINANCE 8064 (THE CLASSIFICATION AND COMPENSATION PLAN) TO REVISE THE CLASS OF **DEPUTY DIRECTOR FOR BUILDING SERVICES** AND CHANGE THE TITLE TO **BUILDING PERMITS AND INSPECTIONS DIRECTOR**.
- BB. AN ORDINANCE AMENDING ORDINANCE 8064 (THE CLASSIFICATION AND COMPENSATION PLAN) TO REVISE THE CLASS OF **DEPUTY DIRECTOR FOR ENGINEERING** AND CHANGE THE TITLE TO **CITY ENGINEER**.
- CC. AN ORDINANCE AMENDING ORDINANCE 8064 (THE CLASSIFICATION AND COMPENSATION PLAN) TO REVISE THE CLASS OF **DEPUTY DIRECTOR FOR SOLID WASTE MANAGEMENT** AND CHANGE THE TITLE TO **SOLID WASTE MANAGEMENT DIRECTOR**.
- DD. AN ORDINANCE AMENDING ORDINANCE 8064 (THE CLASSIFICATION AND COMPENSATION PLAN) TO REVISE THE CLASS OF **DIRECTOR OF ARTS RESOURCES** AND CHANGE THE TITLE TO **ARTS & CULTURE DIRECTOR**.
- EE. AN ORDINANCE AMENDING ORDINANCE 8064 (THE CLASSIFICATION AND COMPENSATION PLAN) TO REVISE THE CLASS OF **DIRECTOR OF COMMUNITY DEVELOPMENT** AND CHANGE THE TITLE TO **COMMUNITY & HUMAN DEVELOPMENT DIRECTOR**.
- FF. AN ORDINANCE AMENDING ORDINANCE 8064 (THE CLASSIFICATION AND COMPENSATION PLAN) TO REVISE THE CLASS OF **PERSONNEL DIRECTOR** AND CHANGE THE TITLE TO **HUMAN RESOURCES DIRECTOR**.
- GG. AN ORDINANCE AMENDING ORDINANCE 8064 (THE CLASSIFICATION AND COMPENSATION PLAN) TO REVISE THE CLASS OF **DIRECTOR OF PUBLIC WORKS** AND CHANGE THE SPECIFICATIONS AND TITLE TO **DEPUTY CHIEF ADMINISTRATIVE OFFICER**.
- HH. AN ORDINANCE AMENDING ORDINANCE 8064 (THE CLASSIFICATION AND COMPENSATION PLAN) TO REVISE THE CLASS OF **DIRECTOR OF HISTORY MUSEUM** AND CHANGE THE SPECIFICATIONS AND TITLE TO **DEPUTY MUSEUMS DIRECTOR**.
- II. AN ORDINANCE AMENDING ORDINANCE 8064 (THE CLASSIFICATION AND COMPENSATION PLAN) TO REVISE THE CLASS OF **DEPUTY DIRECTOR FOR STREETS** AND CHANGE THE GRADE, SPECIFICATIONS AND TITLE TO **STREETS DIRECTOR**.

- JJ.** AN ORDINANCE AMENDING ORDINANCE 8064 (THE CLASSIFICATION AND COMPENSATION PLAN) TO REVISE THE CLASS OF **MUNICIPAL COURT CLERK** AND CHANGE THE GRADE, SPECIFICATIONS AND TITLE TO **MUNICIPAL CLERK**.
- KK.** AN ORDINANCE AMENDING ORDINANCE 8064 (THE CLASSIFICATION AND COMPENSATION PLAN) TO ADOPT AN AMENDED SALARY SCHEDULE FOR THE EXECUTIVE PAY PLAN TO INCLUDE A NEW MAXIMUM GRADE LEVEL.
- LL.** An Ordinance repealing Ordinance No. 012854, which created a City department known as the Communications Department.
- MM.** An Ordinance establishing the functions of the department known as the Information Technology Department.
- NN.** An Ordinance permitting Pueblo Nuevo Community Church to use a portion of Dick Shinaut Park from 10:00 AM until 6:00 PM on September 1, 2002 for a free concert. Fee: \$90.00.

PUBLIC HEARING WILL BE HELD ON AUGUST 27, 2002 FOR ITEMS A - NN

- OO.** An Ordinance changing the zoning of a Portion of Lots 17, 18, 19 and 20, Block 3, MIRAFLORES ADDITION, El Paso, El Paso County, Texas (503 - 505 Estrella Street) from A-3 (Apartment) to C-1 (Commercial). The penalty being as provided in Section 20.68.010 of the El Paso Municipal Code. Applicant: Elva Rocha / Representative: Luis de la Cruz, 9013 Lait Dr., El Paso, TX 79925. ZC-02025 **THIS IS AN APPEAL CASE**
- PP.** An Ordinance changing the zoning of Lot 57, Block 2, ALEXANDER, El Paso, El Paso County, Texas (326 Gonzales Street) from R-4 (Residential) to R-5 (Residential). The penalty being as provided in Section 20.68.010 of the El Paso Municipal Code. Applicant: Daniel Alderete / Representative: Luis de la Cruz, 9013 Lait Dr., El Paso, TX 79925. ZC-02026
- QQ.** An Ordinance changing the zoning of a Portion of Lots 12 & 13, Block 7, NORTH LOOP GARDENS NO. 1, El Paso, El Paso County, Texas (7813 North Loop Drive) from A-2 (Apartment) to C-4 (Commercial). The penalty being as provided in Section 20.68.010 of the El Paso Municipal Code. Applicant: Joe Candelaria / Representative: Luis de la Cruz, 9013 Lait Dr., El Paso, TX 79925. ZC-02027 **THIS IS AN APPEAL CASE**
- RR.** An Ordinance changing the zoning of Lot 12 and a Portion of Lot 13, Block 60, FRANKLIN HEIGHTS ADDITION, El Paso, El Paso County, Texas (1522 Montana Avenue) from A-2 (Apartment) to S-D (Special Development) and imposing certain conditions. The penalty being as provided in Section 20.68.010 of the El Paso Municipal Code. Applicant: Jorge Villa / Representative: Luis de la Cruz, 9013 Lait Dr., El Paso, TX 79925. ZC-02028
- SS.** An Ordinance changing the zoning of the East ½ of Lots 11, 12 & 13, Block 229, CAMPBELL ADDITION, El Paso, El Paso County, Texas, (606 East Mills Avenue) from M-1 (Manufacturing) to C-5 (Commercial). The penalty being as provided in Section 20.68.010 of the El Paso Municipal Code. Applicant/Representative: Jorge Mora & Mauricio Mora, 3697 Desert Meadows, El Paso, TX 79938. ZC-02024

- TT. An Ordinance granting Special Permit No. SU-02007 to allow for a parking reduction on the property described as the East 1/2 of Lots 11, 12 & 13, Block 229, CAMPBELL ADDITION, El Paso, El Paso County, Texas (606 East Mills Avenue), pursuant to Section 20.64.175, and the penalty being as provided in Chapter 20.68 of the El Paso Municipal Code. ZONE: C-5 (Commercial). Applicant/Representative: Jorge Mora & Mauricio Mora, 3697 Desert Meadows, El Paso, TX 79938.

PUBLIC HEARING WILL BE HELD SEPTEMBER 4, 2002 FOR ITEMS OO - TT

Public Hearings will be held as part of the regular City Council meeting which begins at approximately 9AM. All interested persons present shall have an opportunity to be heard at that time. After the public hearings, Council may also delay taking action on Ordinances, no requirement is made by Section 3.9B of the El Paso City Charter to publish any further notice. Copies of all Ordinances are available for review in the City Clerk's office, 2 Civic Center Plaza, Monday through Friday, 8AM to 5PM.

Representative Escobar was not present for the vote.

NOTE: The following Ordinances were revised: 22J, 22K, 22V, 22Y, 22AA, 22DD, 22II and 22RR to read as stated above.

NOTE: The following Ordinance was deleted: AN ORDINANCE AMENDING ORDINANCE 8064 (THE CLASSIFICATION AND COMPENSATION PLAN) TO REVISE THE CLASS OF ZOO DIRECTOR AND CHANGE THE GRADE, SPECIFICATIONS AND TITLE TO ZOO & RECREATION DIRECTOR.

ADDITION TO THE AGENDA

Motion made, seconded and unanimously carried to move to the Regular Agenda the following:

RESOLUTION

WHEREAS, thousands of hard-working adult El Pasoans, with limited English proficiency, have lost their jobs in recent years;

WHEREAS, the affected workers are productive, tax-paying community members whose work, heritage and families have contributed to the growth and vibrancy of the El Paso community;

WHEREAS, El Paso employers offer diverse career opportunities in a multitude of fields;

WHEREAS, El Paso's David L. Carrasco Job Corps Center is the leading such center in the country;

WHEREAS, the Job Corps model and El Paso's David L. Carrasco Center have demonstrated exemplary economic and educational results over 30 years in preparing disadvantaged youth for entry into life-long career paths;

WHEREAS, a diverse group of civic leaders, political officials, educators, and business professionals have led forces to create alternatives for these workers, by building on the strengths of El Paso's Spanish-speaking community and its long history as a bi-national, bi-cultural center of education and trade;

WHEREAS, these efforts have resulted in the development of the concept of an "Adult Bilingual Job Corps"; and

WHEREAS, the Adult Bilingual Job Corps proposes to serve as a "first of its kind" training center, a demonstration research center and an incubator/learning laboratory;

NOW THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF EL PASO:

That the City of El Paso hereby expresses its support for the efforts to establish the Adult Bilingual Job Corps as a critical initiative to create a future with prosperity for workers with limited English proficiency and to position El Paso as a national leader in the development of an adult bilingual workforce system.

Representative Sumrall stated the program was wonderful; however, individuals in the community could not find work due to the inability to speak Spanish. She wondered whether there would be a program that would assist non-Spanish speakers.

Ms. Cindy Arnold, Executive Director of El Puente Community Development Corporation, stated that an initiative was currently underway entitled "Adult Bilingual Curriculum Institute" headed by Johns Hopkins University and Dr. Margarita Calderon, in collaboration with the Greater El Paso Chamber of Commerce and Upper Rio Grande Workforce Development Board, funded by a grant from the U. S. Department of Labor. She noted that the grant was utilized to develop curriculum and train instructors that would assist both non-English and non-Spanish speakers yearning to find employment. She stated that the Adult Bilingual Job Corps would be focusing on the individuals who were displaced, mostly women, non-English speakers, with less than a 6th grade education and heads of households. She introduced Mr. Carl McEhleney, from the office of Congressman Silvestre Reyes, and Ms. Lupe Ybarra from the office of County Commissioner Carlos Aguilar. She explained Congressman Reyes had introduced Legislation to create demonstration projects for Adult Bilingual Job Corps. She expressed her heartfelt thanks to the City Council Members for their support of the initiative.

Mr. McEhleney addressed Council Members and expanded on Congressman Reyes' legislative initiative, HR-5208, a bill establishing a "pilot program" along the U.S./Mexico border. He explained that five adult job corps centers would be established in communities along the U.S./Mexico border each funded with approximately \$10 million dollars. He stated that El Paso had the best Job Corps center in the nation in the David L Carrasco Job Corps Center, and that by utilizing the David L Carrasco Job Corps Center as an example, the Congressman would have the most opportune chance to pass HR-5208. He thanked the County, Ms. Arnold, Johns Hopkins University and others and remarked that a very strong proposal had been established, which the Congressman could pass in Washington.

Motion made by Representative Sumrall, seconded by Representative Rodriguez and unanimously carried to approve the above Resolution.

Representative Escobar was not present for the vote.

***RESOLUTION**

WHEREAS, the City of El Paso is actively seeking to implement international bus service between El Paso, Texas and Ciudad Juarez, Mexico, which requires the submission of an application to the Mexican Government; and

WHEREAS, an international power of attorney is required to certify as to the proper authorization of any representative submitting such application on behalf of the City; and

WHEREAS, Mexican law requires that any such international power of attorney be executed by a party other than the party receiving such authority and that it is desired that the Mayor of the City of El Paso, acting also as the Chairman of the Board, submit said application; and

WHEREAS, the Mexican legal requirement noted above effectively disables the Mayor's ability to execute the power of attorney as well as be the City's named representative; and

WHEREAS, the El Paso City Charter states that the Mayor Pro Tempore shall act as Mayor in the absence or disability of the Mayor;

NOW THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF EL PASO, TEXAS:

That the Mayor Pro Tempore be authorized to sign, on behalf of the City of El Paso, a power of attorney authorizing Raymond C. Caballero, acting as both the Chairman of the Mass Transit Department Board and the Mayor of the City of El Paso, to submit any and all required application documents to the Mexican Government, as related to international service; and that the Mayor Pro Tempore be authorized to sign any related documentation.

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***RESOLUTION**

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF EL PASO:

That the Mayor be authorized to execute the following Employee Contractor contracts on behalf of the Parks & Recreation Department. Funding for these contracts is in fiscal year 2001/2002 appropriations to be approved by the City Council, subject to approval by the City's Civil Service Commission.

AQUATICS
DEPARTMENT ID: 51010281, ACCOUNT 501011

- 1. CONTRACTOR: Robert Hall, Senior Lifeguard, Step 1
DATES: July 29, 2002 thru September 30, 2002
RATE PER HR: \$6.60
CONTRACT NO: 2001/2002-381

- 2. CONTRACTOR: Jacob W. Heller, Lifeguard, Step 2
DATES: July 29, 2002 thru September 30, 2002
RATE PER HR: \$6.00
CONTRACT NO: 2001/2002-382

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***RESOLUTION**

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF EL PASO:

That the Mayor be authorized to execute the following Employee Contractor contracts on behalf of the Parks & Recreation Department. Funding for these contracts is in fiscal year 2001/2002 appropriations to be approved by the City Council, subject to approval by the City's Civil Service Commission.

PAVO REAL RECREATION CENTER
DEPARTMENT ID: 51510115, ACCOUNT 501011

- 1. CONTRACTOR: Lisa Marie Perez, Daycare Director, Step 1
DATES: August 13, 2002 thru August 30, 2002
RATE PER HR: \$7.75
CONTRACT NO: 2001/2002-383

2. CONTRACTOR: Nancy Armendariz, Day Care Instructor I, Step 1
DATES: August 13, 2002 thru August 30, 2002
RATE PER HR: \$6.45
CONTRACT NO: 2001/2002-384

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***RESOLUTION**

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF EL PASO:

That the Mayor be authorized to execute the following Independent Contractor contracts on behalf of the Parks & Recreation Department. Funding for these contracts is in fiscal year 2001/2002 appropriations to be approved by the City Council, subject to approval by the City's Civil Service Commission.

NATIONS TOBIN RECREATION CENTER

DEPARTMENT ID: 51510099, ACCOUNT: 502214

1. CONTRACTOR: Alex Edinger, In-line Hockey Instructor
DATES: August 15, 2002, thru August 31, 2002
RATE PER CL: \$6.00
MAXIMUM AMT: \$360.00
CONTRACT: 2001/2002-194

2. CONTRACTOR: Laith Edinger, In-line Hockey Instructor
DATES: August 15, 2002, thru August 31, 2002
RATE PER CL: \$6.00
MAXIMUM AMT: \$360.00
CONTRACT: 2001/2002-195

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***RESOLUTION**

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF EL PASO:

~~THAT the City Council determines the Texas Department of Transportation drainage easement created on April 22, 1974, as shown on Exhibit "A" attached and incorporated for all purposes, is not necessary for use by the City and does not object to release of such easement, after favorable review and recommendation for release by the Development Coordinating Committee and the City Plan Commission. (Exhibit on file with this Resolution in the City Clerk's Office).~~

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RESOLUTION

A RESOLUTION ACCEPTING AND APPROVING THE RECOMMENDATION OF THE BOND OVERVIEW ADVISORY COMMITTEE CONCERNING THE SUBSTITUTION OF THE LOWER VALLEY LIBRARY RENOVATION PROJECT WITH THE LOWER VALLEY LIBRARY RELOCATION AND CONSTRUCTION PROJECT.

WHEREAS, the City of El Paso, with the approval of the voters, established Year 2000 Bond projects for Parks and Recreation, Library, Zoo and History Museum; and,

WHEREAS, by Resolution dated April 4, 2000, the City Council confirmed the listing of bond projects and their priority providing; however, that the City Council could make changes in the order of priority or years; and,

WHEREAS, by such Resolution also allows the substitution of projects, but only on a finding by a majority of the City Council that "the project originally intended to be funded is no longer feasible due to an extraordinary change in circumstances or the project cannot be provided with the funds" originally allocated in the Resolution.

WHEREAS, the Bond Overview Advisory Committee, at its meeting August 8, after due consideration, approved making a recommendation to the City Council to substitute the Lower Valley Library Renovation Project with the Lower Valley Library Relocation and Construction Project;

WHEREAS, this Council finds that Lower Valley Library Renovation Project is no longer feasible due to an extraordinary change in circumstances;

NOW THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF EL PASO THAT:

The City Council hereby approves and adopts the recommendation of the Bond Overview Advisory Committee to substitute the Lower Valley Library Renovation Project with the Lower Valley Library Relocation and Construction Project. City staff is directed to take the appropriate action.

Representative Sariñana revised the Resolution to add the word Lower Valley Library Relocation and **"new"** Construction Project, as recommended by the Bond Overview Advisory Committee.

Representative Sumrall questioned whether the project had been funded as a "new" construction project.

Ms. Rita Rodriguez, City Attorney, responded no, it had been funded as a renovation project. She added that the library would be relocated to another site; however, the library would have been renovated at its current site.

Representative Sumrall questioned where the money would be coming from for the "new" construction.

Ms. Rodriguez responded the dollar amount would remain the same.

Representative Sariñana remarked that the Parks and Recreation Department may occupy the current site.

Mr. Charlie McNabb, Chief Administrative Officer, stated that the City would be looking into all old City buildings such as the Clardy Fox library building and others and added that the City may sell or lease some of these buildings and possibly use those funds for Quality of Life projects.

Motion made by Representative Sariñana, seconded by Representative Cobos and unanimously carried to approve the above Resolution, as revised.

Representative Escobar was not present for the vote.

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Motion made by Representative Cook, seconded by Representative Sariñana and unanimously carried that the City Council retire into **EXECUTIVE SESSION** pursuant to Section 3.5A of the El Paso City Charter and the Texas Government Code, Sections 551.071 - 551.076 to discuss any of the following:

Section 551.071	CONSULTATION WITH ATTORNEY
Section 551.072	DELIBERATION REGARDING REAL PROPERTY
Section 551.073	DELIBERATION REGARDING PROSPECTIVE GIFTS
Section 551.074	PERSONNEL MATTERS
Section 551.076	DELIBERATION REGARDING SECURITY DEVICES

A. EEOC 361-AO-0386, Juarez v. The City of El Paso (551.071)

B. El Paso Firefighters Association, Local 51 vs. The City of El Paso, et al., No. 2002-3084 (551.071)

Motion made by Representative Escobar, seconded by Representative Sariana and unanimously carried to adjourn the Executive Session and reconvene the meeting of the City Council, during which time motions were made as follows:

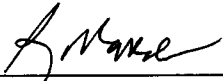
.....
No action was taken regarding EEOC 361-AO-0386, Juarez v. The City of El Paso (551.071)

.....
No action was taken regarding El Paso Firefighters Association, Local 51 vs. The City of El Paso, et al., No. 2002-3084 (551.071)

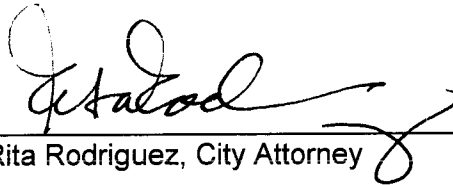
.....
Motion made by Representative Escobar, seconded by Representative Sariñana and unanimously carried to adjourn this meeting at 11:11 a.m.
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APPROVED AS TO CONTENT:

APPROVED AS TO FORM:



Richarda Duffy Momsen, City Clerk



Rita Rodriguez, City Attorney